

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEION THOMPSON,

Defendant.

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CASE NO. 1:14-CR-239

OPINION & ORDER
[Resolving Doc. [33](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On March 23, 2016, this Court issued an opinion and order denying Deion Thompson's motion for appointment of counsel. Upon reconsideration, this Court reverses its prior order and **GRANTS** Thompson's motion for appointment of counsel.

I. Discussion

This Court based its March 23, 2016 decision on the controlled substance offense listed on Thompson's PSR: Drug Possession (F-2) in Cuyahoga County Common Pleas Court in Case # CR-05-461329.

Because it is unclear whether this Drug Possession felony controlled substance convictions involved the intent to "manufacture, import, export, distribute, or dispense" as required under USSG §4B1.2(b)'s definition of a controlled substance offense, this Court will **GRANT** the motion to appoint counsel.

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II. Conclusion

For the reasons above, this Court **GRANTS** Defendant's motion seeking the appointment of counsel.

IT IS SO ORDERED.

Dated: April 20, 2016

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE